

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES LEE TEXTER,	:	CIVIL ACTION NO. 1:04-CV-0173
	:	
Plaintiff	:	(CONSOLIDATED)
v.	:	
	:	(Judge Conner)
TODD MERLINA, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 19th day of September, 2006, upon consideration of the motion for summary judgment (Doc. 78), filed by defendants Borough of Chambersburg, Officer Richard Swartz, Officer Scott North, Police Chief Michael DeFrank, and Mayor Thomas Newcomer, and it appearing that, as of the date of this order, plaintiff has not filed a statement of material facts *in response to* defendants' statement of material facts, see L.R. 56.1 (requiring responsive statements of material facts to accompany "papers opposing" motions for summary judgment), it is hereby ORDERED that:

1. Plaintiff shall file, on or before October 6, 2006, a statement of material facts specifically responding to the numbered paragraphs in defendants' statement of material facts (Doc. 84). See L.R. 56.1.
2. The statement of material facts shall include specific references to the parts of the record that support the statements and shall comply in all respects with Local Rule 56.1.
3. Failure to file timely a statement of material facts in accordance with Local Rule 56.1 will result in the facts set forth in defendants' statement of material facts (Doc. 84) being deemed admitted. See L.R. 56.1.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge